

# MR. WILMOT, OF PENNSYLVANIA,

ON HIS AMENDMENT

## RESTRICTING SLAVERY

### FROM TERRITORY HEREAFTER ACQUIRED.

*Delivered in the House of Representatives of the United States, Feb. 8, 1847.*

The House being in Committee of the Whole on the state of the Union upon the Three Million Appropriation Bill—

Mr. WILMOT addressed the committee as follows :

Mr. CHAIRMAN : I suppose it will be proper for me to notify the committee that I intend to move to amend the bill now under consideration, by the additional section which has been read, without designating the particular place in the bill where I desire it to stand. I do not wish to deprive the gentleman from Virginia, (Mr. DROMGOOLE,) or any one else, of the opportunity to move any amendment to this bill ; but I am embarrassed by the rules of the House, (with which I am but little acquainted,) and I do not intend to surrender, or be deprived of the floor. I wish to be heard upon this question, and I cannot consent to yield to the gentleman from Virginia, and thereby be deprived, by the operation of some parliamentary rule, of an opportunity of vindicating this amendment, and the position I occupy before the House and the country. It is my privilege, sir, it is my duty, to justify myself upon this momentous question ; to vindicate the stand I have taken, and that I am resolved to maintain. I am not one of those who move without reflection, or change without reason. In the discharge of duty, sir, I have stood alone among my delegation on this floor ; on that occasion, sir, in support of the great leading measure of this Administration. Now, sir, if the delegation choose to change their action, I shall not shrink from the responsibility of again standing alone, even in opposition to the wishes of that Administration, the general policy of which I approve. Entrenched behind the right, neither "powers nor principalities—things present, nor things to come"—shall change my purpose, or swerve me from my object. Sir, the history of my public life will be brief. The page upon which it is written shall bear record that I acted the part of a fearless Representative ; that I took my position upon great national questions after mature deliberation, and maintained it with the firmness and consistency of a man.

Sir, it will be recollected by all present, that, at the last session of Congress, an amendment was moved by me to a Bill of the same character as this, in the form of a Proviso, by which slavery should be excluded from any territory that might subsequently be acquired by the United States from the Republic of Mexico.

Sir, on that occasion, that Proviso was sustained by a very decided majority of this House. Nay, sir, more, it was sustained, if I mistake not, by a majority of the Republican party on this floor. I am prepared, I think, to show that the entire South were then willing to acquiesce in what appeared to be, and, in so far as the action of this House was concerned, what was the legislative will and declaration of the Union on this subject. It passed this House. Sir, there were no threats of disunion sounded in our ears. It passed here and went to the Senate, and it was the judgment of the public, and of men well informed, that, had it not been defeated there for want of time, it would have passed that body and become the established law of the land. Sir, the charge was not then made upon me, nor upon those who acted with me, of having, by the introduction of that Proviso at an untimely period, defeated a measure deemed necessary by the President for the establishment of peace between this country and Mexico. The "Union," sir, the whole Democratic Press of the land, charged the defeat of this appropriation, on the unparliamentary conduct of a Senator from Massachusetts, (Mr. DAVIS.) He, sir, it was, that was charged with having defeated this measure, by the Administration press, and the Organ of the Administration here at the capital. More, sir, the "Union" was not sparing in its denunciations of the Massachusetts Senator, for the defeat of this measure. Does this not prove, that the President was anxious for this appropriation under the restrictions imposed by my Proviso? Upon these facts, I assert that the President was willing to take the money and the Proviso together, and the South were prepared to abide by the judgment and will of the nation.

Sir, I have been spoken of as an Abolitionist, by a correspondent of the Union, because of my connection with this movement. I say to the respectable editor of that paper, for whom I entertain high regard, that I am no more of an Abolitionist than he is a Hartford Convention Federalist ; and of that no man, who knows his history or character, will charge him. I am as far from the one, as he is from the other.

I assert, then, that the South was prepared to

acquiesce in this restriction of slavery from free territory.

Mr. SIMS, of South Carolina, (Mr. WILMOT yielding the floor,) said he recollected, when the question was under discussion here, near the close of the last session, that he had made remarks sustaining the propriety of the two million appropriation; but, in the course of these remarks, he deprecated, as untimely and mischievous, the proposition which came from the gentleman from Pennsylvania; and the entire South, so far as he recollected, (he knew he did, at least,) when the Proviso was voted upon, voted against it; and he voted against his declared sentiments in reference to the appropriation, so unwilling was he to give any countenance to such a Proviso.

Mr. WILMOT, resuming. I was aware that the Proviso met with no favor from the South. I did not mean to declare that it did; and, if the gentleman so understood me, I was misunderstood. I did not intend to say that the South was favorable in any way to the Proviso which I offered. Her representatives resisted it, manfully, boldly resisted it. But, sir, it was passed. There was then no cry that the Union was to be severed in consequence. The South, like brave men defeated, bowed to the voice and judgment of the nation. No, sir, no cry of disunion then. Why now? The hesitation and the wavering of northern men on this question has encouraged the South to assume a bolder attitude. The cry of disunion proceeds from no resolve of the South. It comes, sir, from the cowardice of the North. Why, in God's name, should the Union be dissolved for this cause? What do we ask? We demand justice and right. If this were a question of compromise, I would yield much. Were it a question of this character I would go as far as any man. But it is no question for compromise or concession. It is a question of naked and abstract right; and, in the language of my colleague from the Erie district, (Mr. THOMPSON,) sooner shall this right shoulder be drawn from its socket, than I will yield one jot or tittle of the ground upon which I stand. No concession, sir, no compromise. What, I repeat, do we ask? That free territory shall remain free. We demand the neutrality of this Government upon the question of slavery. Is there any complexion of Abolitionism in this, sir? I have stood up at home, and battled, time and again, against the Abolitionists of the North: I have assailed them publicly, upon all occasions, when it was proper to do so. I have met them in their own meetings, and face to face combated them. Any efforts, sir, that may be made, here or elsewhere, to give an abolition character to this movement, cannot, so far as my district and my people are concerned, have the least effect. Any efforts made to give to me the character of an Abolitionist, will fall harmless when they reach my constituents. They know me upon this question. They know me distinctly upon all questions of public interest. My opinions have ever been proclaimed without reserve, and adhered to without change, or the shadow of turning. I stand by the Constitution upon this question. I adhere to its letter and its spirit. I would never invade one single right of the

South. So far from it, I stand ready at all times and upon all occasions, as do nearly the entire North, to sustain the institutions of the South as they exist. When the day of trial comes, as many, many southern men fear it may come, we stand ready, with our money and our blood, to rush to the rescue. When that day comes, sir, the North will stand shoulder to shoulder with their brethren of the South. We stand by the Constitution and all its compromises.

But, sir, the issue now presented is not, whether slavery shall exist un molested where it now is, but whether it shall be carried to new and distant regions, now free, where the foot-print of a slave cannot be found. This, sir, is the issue. Upon it I take my stand, and from it I cannot be frightened or driven by idle charges of Abolitionism. I ask not that slavery be abolished. I demand that this Government preserve the integrity of free territory against the aggressions of slavery—against its wrongful usurpations. Sir, I was in favor of the annexation of Texas. I supported it with my whole influence and strength. I was willing to take Texas as she was. I sought not to change the character of her institutions. Slavery existed in Texas—planted there, it is true, in defiance of law; still it existed. It gave character to the country. True, it was held out to the North, that at least two of the five States to be formed out of Texas would be free. Yet, sir, the whole of Texas has been given up to slavery. The Democracy of the North, almost to a man, went for annexation. Yes, sir, here was an Empire larger than France given up to slavery. Shall further concessions be made by the North? Shall we give up free territory, the inheritance of free labor? Must we yield this also? Never, sir, never, until we ourselves are fit to be slaves. The North may be betrayed by her Representatives, but upon this great question she will be true to herself—true to posterity. Defeat! Sir, there can be no defeat. Defeat to-day will but arouse the teeming millions of the North, and lead to a more decisive and triumphant victory to-morrow.

But, sir, we are told, that the joint blood and treasure of the whole country being expended in this acquisition, therefore it should be divided, and slavery allowed to take its share. Sir, the South has her share already—the instalment for slavery was paid in advance. We are fighting this war for Texas and for the South. I affirm it—every intelligent man knows it—Texas is the primary cause of this war. For this, sir, northern treasure is being exhausted, and northern blood poured out upon the plains of Mexico. We are fighting this war cheerfully, not reluctantly—cheerfully fighting this war for Texas; and yet we seek not to change the character of her institutions. Slavery is there, there let it remain. Sir, the whole history of this question, is a history of concessions on the part of the North. The money of the North was expended in the purchase of Louisiana, two-thirds of which was given up to slavery. Again, in the purchase of Florida, did slavery gain new acquisitions. Slavery acquired an Empire in the annexation of Texas. Three slave States have been admitted out of the Louisiana purchase. The slave State of Florida has been received into

the Union; and Texas annexed, with the privilege of making five States out of her territory. What has the North obtained from these vast acquisitions, purchased by the joint treasure, and defended by the common blood of the Union? One State, sir, one. Young Iowa, just admitted into the Union, and not yet represented on the floor of the Senate. This, sir, is a history of our acquisitions since we became a Nation. A history of northern concession—of southern triumphs. Now, sir, we are told that California is ours—that New Mexico is ours—won by the valor of our arms. They are free. Shall they remain free? Shall these fair provinces be the inheritance and homes of the white labor of freemen, or the black labor of slaves? This, sir, is the issue—this the question. The North has the right, and her representatives here have the power. Shall the right prevail? I fear not, sir. There is a power more potent than the right. These fair provinces are ours—so held, and so regarded by the Administration. But of this I shall speak more fully hereafter. All we ask is, that their character be preserved. They are now free. It is a general principle of the law of Nations, that in conquered or acquired territories, all laws therein existing, not inconsistent with its new allegiance, shall remain in force until altered or repealed. This law prohibits slavery in California and in New Mexico. But the South contend, that in their emigration to this free territory they have the right to take and hold slaves, the same as other property. Unless the Amendment I have offered be adopted, or other early legislation is had upon this subject, they will do so. Indeed they, unitedly, as one man, have declared their right and purpose so to do, and the work has already begun. Slavery follows in the rear of our armies. Shall the war power of our Government be exerted to produce such a result? Shall this Government depart from its neutrality on this question, and lend its power and influence to plant slavery in these territories? There is no question of abolition here, sir. Shall the South be permitted, by aggression, by invasion of the right, by subduing free territory and planting slavery upon it, to wrest these provinces from northern freemen, and turn them to the accomplishment of their own sectional purposes and schemes? This is the question. Men of the North answer. Shall it be so? Shall we of the North submit to it? If we do, we are coward slaves, and deserve to have the manacles fastened upon our own limbs.

Sir, it has been objected to this measure that it was brought forward at an untimely period. An attempt has been made to cast both ridicule and reproach upon it. It is said that we are already quarrelling about territory which does not belong to us; that it will be in time to agitate this question when the country shall be acquired. Sir, I affirm that now is the time, and the only time. To hesitate at such a crisis is to surrender the whole ground; to falter is to betray.

Sir, what is the policy of this Administration? It is fully disclosed; it is not disguised; there is no attempt at disguising it. It is frankly avowed, and stands out to the view of this House and of the world. Sir, I am one of those who believe this war just and necessary. So believing,

I support it. It was forced upon the country by the folly and madness of our enemy. We were compelled to take up arms and vindicate our character and national honor. But, sir, when the first blow was struck on the banks of the Rio Grande—from the time that the news first reached this Capitol—the policy of the Administration has been fixed, irrevocably fixed, that we shall never lay down our arms until indemnity is made in territory for the expenses, in part at least, of this war, and for the claims of our citizens. Such is the settled policy of the Administration; there is no disguise, no concealment about it. In proof of this, it would be sufficient for me to refer to the instructions given to Gen. Kearny and Commodore Stockton. The policy of this Administration, I have said, was fixed and settled; and, I trust, irrevocably settled. It is to require indemnity in territory. Peace is desired, eminently desired, by the Administration and its friends; but with peace must come indemnity and territory. This declaration was frankly made here to-day, by the Chairman of the Committee on Foreign Relations, (Mr. C. J. INGERFOLL.) In the Senate, Mr. SEVIER, Chairman for the same committee in that body, made a similar declaration. I will read an extract from the speech of Mr. SEVIER on this point:

"In making peace, of course the United States would expect to receive indemnity, to some extent at least, for the expenses of the war, and they would also expect the payment of the claims held by our citizens against the Republic of Mexico, and this indemnity was expected in the shape of territory. He was not authorized to state precisely what territory this Government would require, but he supposed that no Senator would think they ought to get less than New Mexico and Upper California. He did not suppose a treaty of peace with less than that would pass this body."

Here, sir, is the direct, explicit declaration, made by the Chairman of the Committee on Foreign Relations in the Senate, who holds daily confidential intercourse with the President, and who therefore may be taken to speak by authority for the Administration. Nay, sir, more; this declaration was made by Mr. SEVIER upon the occasion of his introducing in the Senate a bill, identical in character, with the one now under consideration. Yet my colleague from the Adams district, (Mr. McCLEAN,) who has given an indication of his intention to oppose this amendment, closes his speech by declaring, that he "believes no territory is to be acquired." Sir, does my colleague believe that this Administration is to disgrace itself in the eyes of the American people and of the world? Does he believe that his own party is to recede from the high ground it has taken? No; it is the fixed policy of this Administration, approved by the Democratic party, to require indemnity from Mexico in territory; and the declaration has been solemnly made to the country and the world.

The instruction given to Commodore Stockton was, to plant our flag upon Upper California, and not to lower it under any circumstances. General Kearny has gone so far as to lay down a fundamental law for the government of New

Mexico. Nothing of the kind has been done in the other provinces overrun by our arms. This, sir, is significant; it shows to what particular territory the Administration looks. It is, sir, to the acquisition of Upper California and New Mexico. One thing further in confirmation of this design on the part of the Administration. I read from the Union of the 4th instant. The editor is commenting upon the resolution offered by a Senator from Georgia, (Mr. BERRIEN,) declaring that peace ought to be made without acquiring any territory:

"Let the Federal leaders pursue their indicated policy. The free people of this country will repudiate and despise it."

I call upon my colleague (Mr. McCLEAN) to notice this language—

"We are sure that no member of Congress who owes the proper allegiance to the great cause of the Democratic party, will so far forget the honor of his country, the demands of a gallant people, or his own character, as to lend any countenance to so absurd and extraordinary a proposition."

Yet my honorable colleague closes his speech with the declaration, that "he believes no territory is to be acquired."

(Some gentleman was here understood to suggest, that the resolution which called forth this article in the "Union" was of a different character from that which Mr. W. had imputed to it.)

No, sir, (said Mr. W.,) it relates to the acquisition of territory; it recommends that the army be withdrawn, and peace made without the acquisition of territory.

(Mr. W. concluded reading the article.)

"We but echo the views of a patriotic people, without regard to party distinctions, when we respectfully call upon Congress promptly to reject and rebuke so unpatriotic a project."

If I recollect aright the "project," it was, that we withdraw our army, and offer terms of peace without demanding territory. It is this "project" which the Union denounces—it is this proposition which Mr. Sevier repudiates, and which my friend from Philadelphia (C. J. INGERSOLL,) disclaims.

But, sir, the "Union" holds even more explicit language upon this subject. In a subsequent number of that paper, the editor discourses thus, in reference to the designs of the Opposition—

"The curtain rises slowly on the designs of the Opposition, and the nation will learn, with astonishment and indignation, the position which it is believed they are about to occupy. If we are not mistaken in the signs of the times, they mean to abandon all idea of actual and solid indemnity from Mexico. They mean to ABANDON CALIFORNIA, to tear down the flag of the Union which floats over it, and re-surrender it to Mexico, ultimately to fall into the hands of England, or at least under her commercial control. Such open and wonderful abandonment of the rights and interests of this country, for the purpose of a possible party triumph, has never heretofore been witnessed in the Union. We invite the attention of the American people to the great issue. We are to be held up by the Opposition party, in consequence of greatly exaggerated domestic difficulties, to the contempt and deri-

sion of the world, as incapable of self-government. For the hope of a party triumph, *California is to be sacrificed*, and, *mark the consequences*; the disgraceful surrender of California leads to the loss of Oregon, to the loss of the trade of Asia, and the exclusion of our flag from the Pacific coast. The rights and interest of the country are, in effect, to be as nothing, so that the Federal leaders may have a chance of triumph. And is it, indeed, so, that the country is to be injured, our flag torn down, and a dishonourable surrender is to be made of California, that the Federalists may succeed in a party contest? We must freely, but respectfully, say to the Federalists, if this be their course, the country will not second the unpatriotic and anti-American movement. No Democrat, true to his principles and his cause, can be for the surrender of California."

Mark the language, sir, CALIFORNIA ABANDONED, SACRIFICED, SURRENDERED. "*The flag of the Union torn down*;" "*An open and wonderful abandonment of the rights of the country*."

Sir, is this proposition of mine too early? Is it out of season? Must we of the North wait until the territory is "acquired?" Ay, sir, we are to be closed with narcotics—to be manipulated into a state of somnambulism, and not allowed to wake up until the deed of shame is accomplished, and California and New Mexico are teeming with slaves. Then we shall be told that we are too late. Sir, if we permit this, we shall justly merit the insulting epithet so often applied by the Whigs to the Democracy of the North, of "Northern Dough-faces." We shall deserve the taunting language used by John Randolph towards the North, when he said, in the debate on the Missouri question:

"We do not govern them by our black slaves, but by their own white slaves. We know what we are doing—we have conquered you once, and we can again—and we will conquer you again. Ay, sir, we will drive you to the wall, and when we have you there once, we mean to keep you there, and nail you down like base money."

When, sir, in God's name, will the time come for the North to speak out? Our standard is in California—our flag floats over New Mexico. The organ of the Administration proclaims to the world that these territories are ours, not to be "*abandoned, sacrificed, or surrendered*;" our troops are there, and an armed body of emigrants has been sent forward permanently to occupy and hold the country. The whole South rise up here, and declare that they will plant slavery in those countries, and yet we are told that it is not time for the North to act; this, too, by northern men. One finds an excuse for the betrayal of the North, under the declaration that he "believes no territory will be acquired;" another denounces any amendment, as "puerile, out of time and out of place;" a third seeks refuge from the indignation of a betrayed constituency, under the idle plea, that my proposition embarrasses the Administration, and tends to prevent a vigorous prosecution of the war. I shall notice this last accusation more at length hereafter.

My friend from Philadelphia, (Mr. C. J. INGERSOLL,) gives me a consoling assurance; he says that a slave cannot live in California—that the country is not adapted to slave labor. Sir,

as much as I respect his judgment and opinions, yet in the face of the declarations of the whole South, I cannot safely rely upon his. This country is as well, if not better adapted for slave labor, than is Kentucky, Tennessee, or Missouri. Every southern man declares they will hold it for slavery; that all below 36° 39' shall be slave territory. And yet it is not the proper time now! The President's policy is fixed; the South declare their purpose; and yet northern men flinch meeting the issue!

Again, sir, it is objected, that this Amendment will defeat the bill. Why defeat the bill? If northern men would act with the same feeling and unity of the South, my Amendment would carry the bill, and its defeat would be inevitable without it. Sir, if the North is true to herself, the bill will be defeated, if my Amendment is lost. An idle, pettifogging pretence is set up, by a portion of the press, with the "Union" at their head, that my Amendment in some way will affect the terms of a treaty with Mexico. That if it pass, Mexico will have something to say about our domestic affairs—that she would be called upon to negotiate about slavery. Sir, those who hold out such ideas to the public, know they are deceptive and uncandid. The organ of the party here at the Capital, ought at least to present the issue fairly before the public. The northern Democracy may at least claim, not to be misrepresented in the columns of a paper professing to speak for, and to represent the whole party. My amendment has nothing to do with the terms of any treaty the President may negotiate; and those who hold out to the public a different impression must know it. It does not require him to say one word about slavery. He would use the money, and make the treaty, precisely as he would if my Amendment were not there. It is a mere legislative declaration, that any territory which we may obtain, under a treaty of limits and boundaries, shall remain as we find it—free. It has nothing whatever to do with the terms and stipulations of the treaty.

Sir, an honorable gentleman from the South, I believe the one at my side, (Mr. Burr,) made the proud declaration a few days since on this floor, that "we have no traitors at the South." Would that I could throw back the proud boast, "we have no traitors in the North." It seemed to me, sir, at the time, as if the declaration was made with that pride which a brave man feels, when he knows that he is surrounded by brave and firm associates. But if this measure, which only a few months since received the support of a large majority of this House, is to be smothered in committee, where no record remains of men's votes—to be stifled, put down; if the men on whom we rely for support falter in the hour of need, I shall understand the proud boast of the South, as a withering, burning sarcasm on the North. The cheek of a northern man should burn as a red-hot cinder under it.

Yes, sir, "there are no traitors in the South." The South is true to her supposed interest on this question. Once, sir, the North, too, stood true on this question. The State of Penn was true to her character and her history. Every Representative from Pennsylvania who was present voted at the last session in favor of

the Proviso I offered. I trust it will be so again. We shall see. Why, sir, should we fear for the action of northern men on this question? It is right, sir; it is just; it is timely. If ever a declaration against the extension of slavery over a free territory is to be effectual, it must be made now. Wait! Why, sir, while we are waiting slavery is pushing onward. Already has the southern slavery of this Union been transplanted into New Mexico. The fundamental law which General Kearny laid down for the government of that country bears the impress and proves the existence of slavery. Yes, sir, slavery is there, yet northern men advise delay; sneer, sir, at this movement as "puerile and childish." The constitution, or fundamental law, which General Kearny lays down for the government of that country, in prescribing the qualifications of electors, says: "Every FREE male" shall be entitled to the right of suffrage, &c. Does this not imply that there are males there *not free*? Already, sir, on the route of travel between Missouri and New Mexico slaves are found, who are being removed thither. Slavery is there, sir—there, in defiance of law. Slavery does not wait for all the forms of annexation to be consummated. It is on the move, sir. It is in New Mexico. It is in Oregon. Yes, sir, it is in Oregon; and this day, in that distant territory of the Union, does the lash of the Missouri master drive his negro slaves to the field of labor. We passed but a few days ago through this House a Bill for the establishment of a territorial government in Oregon, in which we excluded slavery from that territory. The slavery restriction has been struck out from that Bill by the Senate committee, a majority of whom are southern men, and a clause inserted establishing slavery. Yet, sir, in the face of all these facts, we are told that our action is premature, untimely. "Wait," says my colleague, (Mr. McCLEAN,) "until we get the skin of the lion, before we dispute about his hide." Sir, we have the skin, and slavery is already grappling for it. I invoke my colleague to the rescue. I repeat it, sir, now is the time, and the only time. Southern men declare that they desire this question settled now. Neither party should be deceived. The North ought not to be betrayed under the idea held out, that slavery cannot, or will not, exist there. Let not the South be deceived. Let no prospect be held out to her that this war is to result in strengthening and extending this institution. Now, sir, is the time, and the honest time, to meet this question.

But I am told, you are embarrassing the Administration by bringing forward this proposition. We embarrassing it—the majority of Democrats on this floor! Do gentlemen reflect who make this charge? Does a declaration, that free territory shall remain free, embarrass the Administration? Does it thwart its purposes and policy? Sir, those who make this charge accuse the Administration of seeking the extension of slavery over territory now free. Is this true; or is it a gross slander upon this Democratic Administration? We, sir, accused of embarrassing the Administration! The majority, sir—we who constitute a majority of the Republican party on this floor—who carry out its great

principles, and vindicate its faith and practice! The charge is idle, sir, unworthy of notice. We have voted promptly, sir, for all the supplies of men and money asked for to carry on a vigorous prosecution of this war. Yet we are charged by southern men with throwing obstacles in the way of the war. Sir, I have thrown no obstacles in its way, unless it is waged for the extension of slavery. If my Amendment embarrasses the prosecution of the war, then it is a war for slavery, which I am not prepared to believe.

Sir, my Amendment can interfere with the war only in two respects, either by frustrating its objects, or weakening its support. The first it does not do, unless slavery is its object; nor the second, unless for this cause the South are driven from its support. If the South are so driven, then it will be apparent to all that, on the part of the South, the war was prosecuted for the extension of slavery, and not the vindication of the rights and honor of the country. This is my ground. If the war is not for slavery, then I do not embarrass it with my Amendment. If it is for slavery, then I am deceived as to its objects. The treasure and blood of the North will not be poured out in waging a war for the propagation of slavery over the North American continent. I trust that such is not its object; yet the attitude of the South on this question is susceptible of no other construction.

My colleague, (Mr. C. J. INGERSOLL,) suggests the propriety of waiting until the people of those territories shall meet together to form their own constitution, and then to let them decide for themselves whether slavery shall or shall not be tolerated within their boundaries. Sir, I am satisfied with this; it is all I ask. I do not, however, doubt the right of this Government to prescribe binding and lasting conditions upon new territory admitted into this Union. It may declare that upon such terms and conditions, under such and such restrictions only, it shall be required. All I ask is, that the people be left free to choose for themselves between freedom and slavery. I only ask that, while it is a territory, under our control and guardianship, its free character shall be sacredly preserved. When it shall increase in strength and population, when it shall have attained the stature and vigor of manhood, when States are formed and admitted into the Union, I am willing they should be free to adopt or reject the institution of domestic slavery. I do not wish to interfere either with the sovereignty of existing States, or to cripple the sovereignty of new ones. I suppose Pennsylvania could establish slavery to-day if she choose; and so possibly might Ohio, in spite of the Ordinance of 1787. All that we demand is, that while these provinces shall constitute a part of the territory of the Union, under the control of this Government, slavery shall not be permitted to gain a foot-hold in them. Free they now are, and free, with God's help, they shall remain. Free territory shall not be fettered, it shall not be trampled upon; it is ours, and we will hold on to it with a grasp that shall bid defiance to the slave power. When territory presents itself for annexation where slavery is already established, I stand ready to take it, if national considerations require it, as they did in the case of Texas. I will not seek to change its institutions; I will

not first ask the abolition of slavery. I make no war upon the South, nor upon slavery in the South. I have no squeamish sensitiveness upon the subject of slavery, no morbid sympathy for the slave. I plead the cause and the rights of white freemen. I would preserve to free white labor a fair country, a rich inheritance, where the sons of toil, of my own race and own color, can live without the disgrace which association with negro slavery brings upon free labor. I stand for the inviolability of free territory. It shall remain free, so far as my voice or vote can aid in the preservation of its character.

This, sir, is what we ask, and all we ask. Yet the majority of this House, reflecting the will of a vast majority of the freemen of this republic, a majority of the republicans of the North, are called upon to yield—what? To make concession of things that ought to be conceded? No; they are required to surrender the dearest rights, to violate the most sacred obligations. Where is the northern man prepared to do it? I am a man of concession, of compromise; but to compromise on this question is to surrender the right and establish the wrong. It is to carry slavery where it does not now exist, to subjugate free territory. If we refuse to convert free into slave territory, is that an invasion of the rights of the South? One would, indeed, suppose so, who had listened to all the violent declamation about the constitutional rights of the South, which has been heard in this debate. While I have, as I before remarked, no morbid sensitiveness upon this subject, I am, nevertheless, one of those who believe that the future greatness and glory of this republic demands that the progress of domestic slavery should be arrested now and forever. Let it remain where it now is, and leave to time and a merciful Providence its results.

Sir, upon this subject, the North has yielded until there is no more to give up. We have gone on, making one acquisition after another, until we have acquired and brought into the Union every inch of slave territory that was to be found upon this Continent. Now, sir, we have passed beyond the boundaries of slavery and reached free soil. Who is willing to surrender it? Men of the North—Representatives of northern freemen, will you consummate such a deed of infamy and shame? I trust in God not. Oh! for the honor of the North—for the fair fame of our green hills and valleys, be firm in this crisis—be true to your country and your race. The white laborer of the North claims your service; he demands that you stand firm to his interests and his rights; that you preserve the future homes of his children, on the distant shores of the Pacific, from the degradation and dishonor of negro servitude. Where the negro slave labors, the free white man cannot labor by his side without sharing in his degradation and disgrace.

But, sir, we are threatened with a dissolution of the Union. It is an idle, harmless threat. It has worked so well heretofore, however, that I am not surprised it should be employed on this occasion. The North has ever been ready to yield when the South raised the cry of disunion. Sir, I have no fears for the Union. When southern gentlemen sit down and revise their estimates of the value of the Union, no fears need be en-

tertain of dissolution from that quarter. Not that I doubt the bravery of the South. I know that they dare do all that brave men dare do, in vindication of their rights. I would be afraid to invade their rights. I would expect, from their known character, and from the stand they have heretofore taken in defence of State-sovereignty and State-rights, a manful and spirited resistance. But, sir, I am not afraid to do right. The South dissolve the Union without just cause! The Union is valuable to all, especially valuable to the South. The Union dissolved, sir, and it is my deliberate conviction that southern slavery could not exist twenty years. The South, sir, equally with the North, places a proper estimate upon the value of the Union.

Sir, there is another reason, and a most substantial one, why my Amendment should be made now, and not later. For what is this appropriation to do? It is to make peace. How to make peace, I inquire, sir? Not to purchase a humiliating peace. No one supposes this. What return, then, are we to have for this money? Territory, sir, territory. My friend, the chairman of the Committee on Foreign Relations (Mr. C. J. INGERSOLL,) bows; he admits it, sir; I thank him for the admission, it is frank, it is true. The chairman of the same committee in the Senate, (Mr. SEVIER,) makes the same distinct admission. His language on this subject is explicit. He says:

"The intelligence possessed by the President, gives them reason to believe, that upon a certain advance to be made, to pay the expenses of their army, (the Mexicans,) and other expenses, they would be willing to cede that portion of their territory which he had named." [Upper California and New Mexico.]

Why are we to pay the expense of their army? It is hard enough to fight them, and to pay the expenses of our own army, as the war is going on. Ay, sir, the Mexicans "would be willing to cede Upper California and New Mexico." This, sir, is the return we are to have for "paying the Mexican army." Yet, sir, when the Bill is before the House, appropriating the very money which is to purchase territory, northern men, as an excuse to vote against my Amendment, tell us they believe no territory is to be acquired; that the movement is untimely and out of place; that it is throwing an agitating and distracting question into our councils—breaking the unity of the party. An agitating question, sir! If the South, the minority, will yield, there will be no "agitation" upon this subject. I implore my friends of the South to stop the "agitation of this delicate question." They have it in their own hands.

Sir, my reasons for moving in this matter at the time I did, have been given. I saw the policy of the Administration as clearly then, as I see it now. Every man with his eyes open must see it. Territory is to be acquired, and money is asked to aid in its acquisition. I am ready, I am anxious to give the money; but I seek in the act which appropriates it, a guarantee that free territory shall be preserved from the aggression of slavery—that it shall be sealed up and held sacred for freedom. This is what I seek.

One gentleman from South Carolina, (Mr.

RHETT,) submitted a long constitutional argument on this question, and one, which it seemed to me, frittered away all the powers of this Government. I tried to follow him in his ideas of sovereignty, but his refinements were too nice for my comprehension. I became lost in the mists and clouds of constitutional refinements. I understand by sovereignty, the power that makes laws—a power that demands of the citizen submission to its authority—that executes the prerogative of enforcing obedience. I could not understand the distinction the gentleman was pleased to make, when he said "the powers of sovereignty are one thing, and its being another." I know of no sovereignty distinct from its attributes. Sovereignty is known by its attributes and its powers. The theory of our Government places all sovereignty in the hands of the people. They, sir, are the true source of this right which we call sovereignty. But in a political and legal sense, sovereignty resides in the States and in this Government. Within the limits of the Constitution, and in the exercise of the powers given, this Government is sovereign; and within the limits of their respective constitutions the governments of the States are sovereign. They exercise different and distinct powers, yet each in the powers exercised are sovereign. The right of the people to alter or remodel their constitutions, is a right which the theory and practice of our Government maintains. That part of the argument of the gentleman from South Carolina, which places the sovereignty exclusively in the people, would strongly conflict with the opinions held by that school of constructionists, in the case of Rhode Island. I recollect that they denied the authority of the people of Rhode Island to re-construct and remodel their organic law. In one breath, the gentleman makes sovereignty reside in the people; and the next in the States. Indeed, he makes it reside everywhere and anywhere, except in this Government. He tells us that this Government stands as a naked trustee for the States, and that the States are joint-tenants and co-sovereigns over the territories of the Union. This, sir, is novel. I confess I can form no idea of a co-partnership in sovereignty. Suppose, sir, that the States do own the territories, and that this Government holds them merely as trustee, will the gentleman inform me what acts these "joint-tenants and co-sovereigns" can exercise over their property? Can South Carolina legislate for it? And if so, for how much, or to what extent? And how large is the control of Pennsylvania over it? Without stopping to inquire where the right of property is, one thing is clear, the States can act upon territory only through this General Government. I maintain that this Government, so far as the territory of the Union is concerned, is sovereign within the limits of the Constitution.

Every argument of the gentleman from South Carolina, (Mr. RHETT,) against my amendment, applies with equal force against the Ordinance of 1787, and against the Missouri compromise. Great questions of constitutional right—of the rights of the people and the States—are not determined by parallels of latitude and longitude. If this proposition invades the constitutional rights of the South, then did the Mis-

souri compromise. If we have no right to say that slavery shall not exist in New Mexico and California, then we had no right to say that it should not go north of the Missouri compromise line.

I would have been glad, as objections have been made to the manner of introducing this question, to have had an opportunity of introducing an independent proposition, standing isolated and alone. But every man knows that no such opportunity has or can be offered, under the rules of this House. Those who say they would support such a proposition, but oppose my Amendment, knew that it is utterly impossible to get it before the House. A resolution of that character can only be brought before the House by suspending the rules, and that requires a vote of two-thirds. Action might be had upon it, by offering it on resolution day, and immediately demanding the previous question; but such a day we have not had since the early part of the session, and will not again have to its close; and, again, I would not attempt to force through so important a proposition under the press of the previous question, and without opportunity for one word of debate. I had a resolution drawn for more than three weeks, and could not advance so far, as to obtain the floor and make a motion that the rules be suspended to receive it. I abandoned it as idle and useless, and came back to this bill as the proper and only place where I could bring my Proposition before the House.

Sir, I have said before, that I have no morbid sympathies upon the subject of slavery; still, I regard it as a great social and political evil—a blight and deadly mildew upon any country or State in which it exists. I regard it as the most difficult and dangerous problem which we will have to work out in this free Government. If we go back to the period of the establishment of our Constitution, we find there were six slave and seven free States; the slave States containing an area of some fifty thousand square miles more than the free, with about an equal population. Now, these free States have double the population of the slave. Why is this? In the Revolution, Massachusetts furnished more men for carrying on the war than the entire slave States. How happened this? Not from any want of patriotism on the part of the South, but from the want of ability, growing out of this institution. Where the men who labor are slaves, you cannot place arms in their hands; and it is the free laboring man who constitutes the strength and defence of his country on the field of battle. If this war continue, Pennsylvania will, if permitted, I believe, send more men into the field than the entire six original slave States. Not that Pennsylvania would be more forward than they in the vindication of the honor of the country; but because she has the men, and, owing to this peculiar institution of the South, they have them not. Their laborers cannot take up arms; indeed, they dare not form them into military organizations, and teach them the use of the weapons of war. Why is it that Virginia, the "mother of States"—that State which has ever been foremost in vindication of the rights of the States, and of the liberties of the People—why is it that the sun of the

glorious "Old Dominion" is not in the ascendant? She stood first—before New York, before Pennsylvania—and now she is outstripped by States that have risen up within the memory of the present generation. Why is it? Can any doubt that slavery is the cause?

Again, contrast Ohio with Kentucky. Why has the former left so far behind the latter, in the race of prosperity and greatness? It is wholly owing to slavery in the one and not in the other. There is always a lack of that energy and enterprise in slave labor, which is to be found in free labor. I verily believe that the laborer of the North, who goes into the wilderness to hew himself out a home, does more than three slaves, while he sustains or wastes less. Nothing is neglected by him; his eye sees everything that requires attention. It is the enterprise, the diligence, and the economy of free labor, that has built up Empire in the West, while the South has been going back into decrepitude and decay. Sir, contrast Michigan with Arkansas. Within the last twenty years, the former has assumed a high position among the States of this Union. She exhibits at this day all the elements and resources of a great State; cities, flourishing towns, and highly cultivated fields, with a population that outnumbered three or four times that of Arkansas. Yet, Arkansas has even a better soil, and superior natural advantages. What is the cause of this disparity? It is slavery, sir, and that alone. Slave labor exhausts, and makes barren the fields it cultivates. That labor is only profitable to the master in the production of the staples of cotton, sugar, and tobacco. Crop follows crop, until the fertility of the soil is exhausted, when the old fields are abandoned, new and virgin soil sought out, to be exhausted in the same manner, and in its turn likewise abandoned. Thus, sir, sterility follows its path. Eastern Virginia, unrivalled in the fertility of its soil, and in the geniality of its climate, with navigable rivers and harbors unsurpassed in commercial importance, is this day but little better than a barren waste. The free labor of the North has commenced the work of regeneration, and to this alone can Eastern Virginia look for redemption and renewed prosperity.

Sir, as a friend of the Union, as a lover of my country, and in no spirit of hostility to the South, I offered my Amendment. Viewing slavery as I do, I must resist its further extension and propagation on the North American continent. It is an evil, the magnitude and the end of which, no man can see. Mr. Walker in his celebrated Texas letter, urged the policy of annexation, as a means and aid in the final abolition of slavery. By the annexation of Texas, he said, a frontier of two thousand miles in extent would be opened, bordering on Mexico, over which our slave and black population, as it should press upon the country, could pass, and become mingled with the mixed races of Mexico and South America. Sir, I thought at the time, and still think, that there was much force in this argument. But if we take the very country that was to be their refuge, and subvert it for slavery, what becomes of the reasoning and argument of Mr. Walker? Here the hour expired, and Mr. WILKOT was broken off in his remarks.